

RAM, OLSON, CEREGHINO &  
KOPCZYNSKI  
MICHAEL F. RAM (SBN 104805)  
[mram@rocklawcal.com](mailto:mram@rocklawcal.com)  
555 Montgomery Street, Suite 820  
San Francisco, CA 94111  
Telephone: (415) 433-4949  
Facsimile: (415) 433-7311  
[Additional counsel on signature page]  
*Attorneys for Plaintiffs and Proposed Class*

7 MAYER BROWN LLP  
CARMINE R. ZARLENGA (D.C. Bar. No.  
8 286244)  
9 Zarlenga@mayerbrown.com  
10 1999 K Street, N.W.  
Washington, DC 20006-1101  
Telephone: (202) 263-3000  
Facsimile: (202) 263-3300

11 MAYER BROWN LLP  
12 DALE J. GIALI (SBN 150382)  
13 KERI E. BORDERS (SBN 194015)  
14 [dgiali@mayerbrown.com](mailto:dgiali@mayerbrown.com)  
15 [kborders@mayerbrown.com](mailto:kborders@mayerbrown.com)  
350 South Grand Avenue, 25th Floor  
Los Angeles, CA 90071  
Telephone: (213) 229-9500  
Facsimile: (213) 625-0248

16      *Attorneys for Defendant*  
17      *Nestlé Purina PetCare Company*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

21 FRANK LUCIDO, et al, on behalf of himself  
and all others similarly situated,

Case No. 4:15-cv-00569-EMC

**STIPULATION FOR DISMISSAL OF  
COUNTS 44 AND 45 ONLY BY  
PLAINTIFF LANCE CARLSON  
PURSUANT TO FED. R. CIV. P.  
41(a)(1)(A)(ii)**

#### **Plaintiffs.**

V.

24 NESTLÉ PURINA PETCARE COMPANY, a  
25 Missouri corporation; and DOES 1 through 200,  
inclusive,

## Defendants

1 TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 IT IS HEREBY STIPULATED by Plaintiff Lance Carlson and Defendant Nestlé Purina  
3 PetCare Company (“Purina”), by and through their respective counsel, that this Court dismiss  
4 Counts 44 and 45 of the Third Amended Complaint only asserted by Lance Carlson against  
5 Purina, with prejudice, pursuant to 41(a)(1)(A)(ii).

6 Dated: August 9, 2016

RAM, OLSON, CEREGHINO &  
KOPCZYNSKI LLP  
Jeffrey B. Cereghino  
Michael F. Ram  
Matt J. Malone  
Susan Brown

MORGAN & MORGAN COMPLEX  
LITIGATION GROUP  
John Yanchunis  
James Young

TERRELL MARSHALL DAUDT & WILLIE  
PLLC  
Beth Terrell  
Adrienne McEntee

PASTOR LAW OFFICE, LLP  
David Pastor

LEONARD LAW OFFICE, PC  
Preston W. Leonard

FINKELSTEIN, BLANKINSHIP, FREI-  
PEARSON & GARBER, LLP  
Todd Garber  
Greg Blankinship

CONSUMER LAW GROUP  
Alan Mansfield

LACKEY HERSHMAN, L.L.P.  
Roger Mandel

GILMAN LAW LLP  
Kenneth Gilman

CUNEO GILBERT & LADUCA, LLLP  
Michael Flannery

THE ANIMAL LAW CENTER  
Jennifer R. Edwards

1 THE RICHMAN LAW GROUP  
2 Kim Richman  
3  
4

5 By /s/ Michael F. Ram  
Michael F. Ram  
6 Attorneys for Plaintiffs and Proposed Class  
7  
8

Dated: August 9, 2016

MAYER BROWN LLP  
Carmine R. Zarlenga  
Dale J. Giali  
Keri E. Borders



9  
10 By: /s/ Keri E. Borders  
Keri E. Borders  
11 Attorneys for Defendant Nestlé Purina Petcare  
12 Company  
13  
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### ATTESTATION

15 I, Keri E. Borders, hereby attest, pursuant to N.D. Cal. Local Rule 5-1(i)(3) that  
16 agreement to the filing of this document has been obtained from each signatory.  
17  
18

19 By: /s/ Keri E. Borders  
Keri E. Borders  
20 Attorneys for Defendant Nestlé Purina Petcare Company  
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